

Government of
Saskatchewan

Annual Report
1997-1998

Saskatchewan
Justice

Saskatchewan Police
Complaints Investigator

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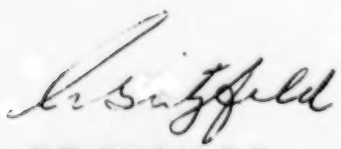
LETTER OF TRANSMITTAL

December 22, 1998

The Honourable John T. Nilson, Q.C.
Minister of Justice and Attorney General
Province of Saskatchewan
Legislative Building
Regina, Saskatchewan

Dear Sir:

The undersigned, pursuant to section 15 of ***The Police Act, 1990***, is pleased to present the Saskatchewan Police Complaints Investigator Annual Report for the period of April 1, 1997 to March 31, 1998.



E.R. Gritzfeld, Q.C.
Complaints Investigator

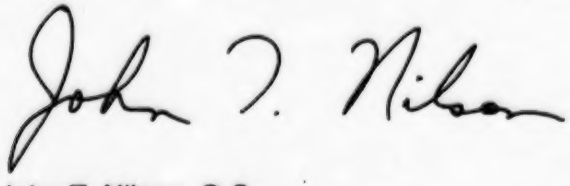
LETTER OF TRANSMITTAL

December 22, 1998

His Honour
The Honourable J.E.N. Wiebe
Lieutenant Governor of Saskatchewan
Government House
4607 Dewdney Avenue
Regina, Saskatchewan

Dear Sir:

The undersigned, pursuant to section 15 of ***The Police Act, 1990***, is pleased to present the Saskatchewan Police Complaints Investigator Annual Report for the period of April 1, 1997 to March 31, 1998.



John T. Nilson, Q.C.
Minister of Justice and Attorney General

MISSION STATEMENT

The Complaints Investigator is a non-police person appointed by the government to ensure that both the public and police receive a fair and thorough investigation of a complaint against the police.

One of the main functions of the police is the protection of the general public. Police Services realize that their officers must maintain a high degree of public support to effectively carry out their duties. It is recognized that occasions arise when a citizen feels he or she has not been treated fairly by a police officer and for that reas a **Citizen Complaint Procedure** was set out in ***The Police Act, 1990***. It is in the best interest of the public and the police to have citizens' complaints resolved in order to maintain the spirit of co-operation that now exists.

GOVERNING LEGISLATION

Role of the Complaints Investigator

Civilian review of public complaints against the police began in the United States in the 1960's. Since then it has spread around the world and developed so that today, Canada is recognized as a leader in the public complaints field. On January 1, 1992, Saskatchewan brought in a new procedure for the handling of complaints against municipal police with the appointment of a Complaints Investigator. Pursuant to subsection 39(1) and (2) of ***The Police Act, 1990***, the duties of the Investigator are as follows:

(a) record the complaint received;

(b) establish and maintain a record of all public complaints received by the police services and their dispositions;

(c) inform, advise and assist complainants;

(d) advise and assist the chiefs and boards, the hearing officer and the commission with respect to the handling of public complaints;

(e) monitor the handling of public complaints and ensure that public complaints are handled in a manner consistent with the public interest; and

(f) inspect annually, or at those times directed by the minister, the records, operations and systems of administration for the handling of public complaints by police services.

(2) In exercising the duties of the investigator pursuant to this section, the investigator:

(a) shall receive and obtain information respecting a public complaint from the complainant;

(b) may receive and obtain information respecting a public complaint from the member or chief who is the subject of the complaint, the chief or the board, in any manner that the investigator considers appropriate;

(c) may request access to any files or other material in the possession of the police service relevant to a public complaint; and

(d) may interview and take statements from the chief, board, complainant and the member or chief who is the subject of the public complaint.

Complaints Investigator

E.R. Gritzfeld, Q.C.

Administrative Staff

Gary F. Treble - Director
Wendy McAuley - Office Manager/Secretary

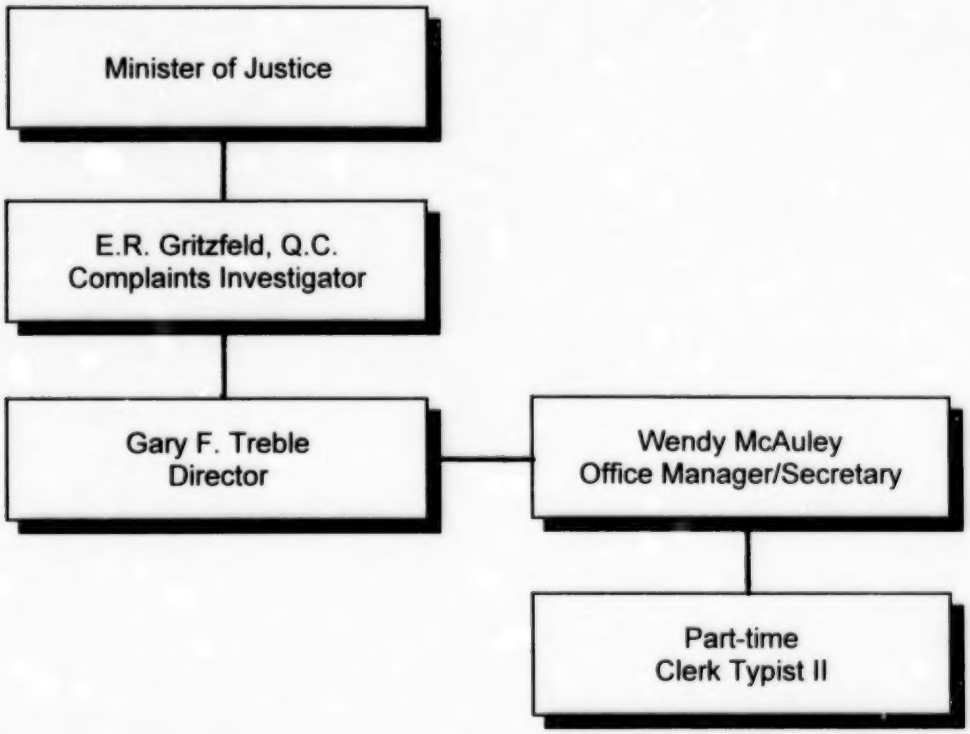
Accommodation

Saskatchewan Police Complaints Investigator
3rd Floor - 1919 Saskatchewan Drive
REGINA, Saskatchewan
S4P 3V7

Telephone: (306) 787-6519
Fax: (306) 787-6528

SASKATCHEWAN POLICE COMPLAINTS INVESTIGATOR

Organizational Structure



1997-98 GOALS/RESULTS

For the period April 1, 1997 to March 31, 1998 this office processed 132 complaints against municipal police officers in the province.

Noted below is the time frame involved to receive the complaint, investigate, review the matter and advise the complainants of the action taken with respect to their concern.

Time Frame	% of Complaint Files
0 - 30 days	21%
31 - 60 days	25%
61 - 90 days	19%
91 - 120 days	18%
121 - 150 days	5%
151 - 180 days	2%
over 181 days	8%
pending	2%

The following pages show the breakdown of complaints for each of the 15 Municipal Police Services and two Rural Municipality Police Services in the province.

SASKATCHEWAN POLICE COMPLAINTS INVESTIGATOR

April 1, 1997 to March 31, 1998

	Number of Complaint Files
Regina	49
Saskatoon	43
Moose Jaw	5
Prince Albert	19
Estevan	7
Weyburn	0
Caronport	0
Churchbridge	0
Cudworth	0
Dalmeny	0
Luseland	0
Macklin	0
Stoughton	4
Watson	1
Yellow Grass	1
R.M. of Corman Park	3
R.M. of Vanscoy	0
Total Number of Files	**132**

SASKATCHEWAN POLICE COMPLAINTS INVESTIGATOR

Findings of Complaints Received
April 1, 1997 to March 31, 1998

Police Service	Substantiated	Unsubstantiated	Unfounded	Withdrawn/ Other	Not Yet Completed	Total
Regina	10	4	33	6	1	54
Saskatoon	10	1	24	7	1	43
Moose Jaw	1	0	4	0	0	5
Prince Albert	5	0	15	2	0	22
Estevan	4	0	2	1	0	7
Weyburn	0	0	0	0	0	0
Caronport	0	0	0	0	0	0
Churchbridge	0	0	0	0	0	0
Cudworth	0	0	0	0	0	0
Dalmeny	0	0	0	0	0	0
Luseland	0	0	0	0	0	0
Macklin	0	0	0	0	0	0
Stoughton	2	0	1	1	0	4
Watson	0	0	1	0	0	1
Yellow Grass	0	0	1	0	0	1
R.M. Corman Park	2	0	0	1	0	3
R.M. Vanscoy	0	0	0	0	0	0
Total	**34**	**5**	**81**	**18**	**2**	**140 ***

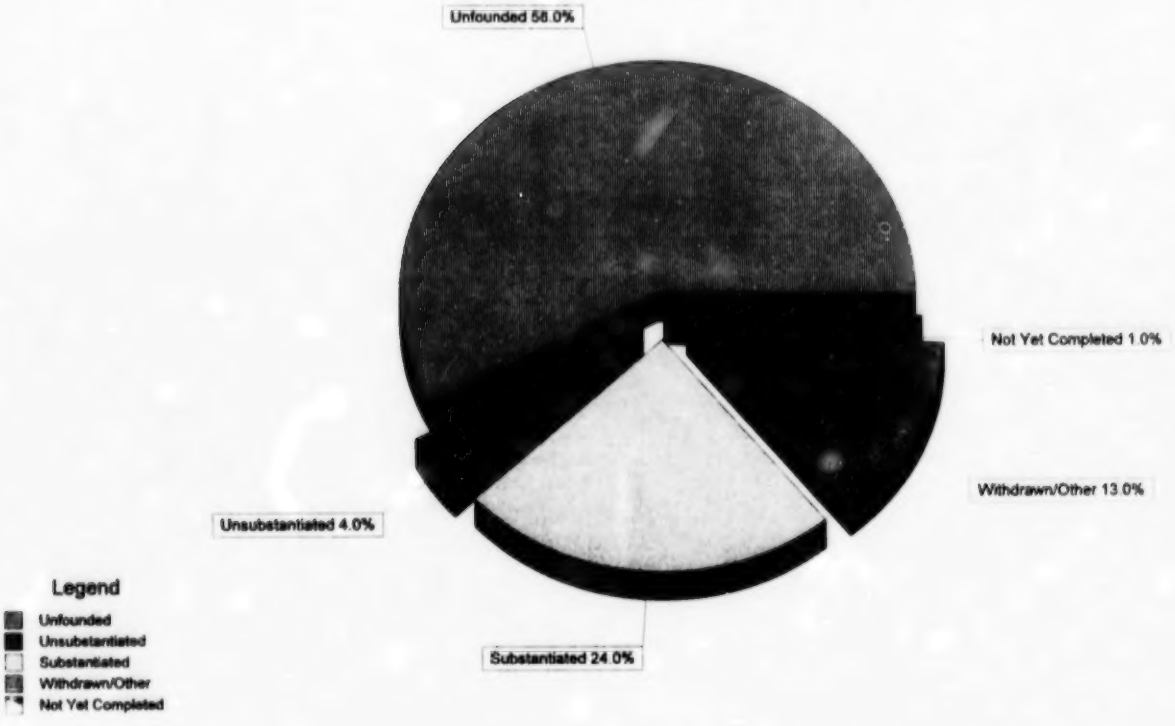
Definition of Complaint Findings

Substantiated - Supported by evidence
Unsubstantiated - Allegation cannot be proved or disproved
Unfounded - Unsupported by evidence

*** While 132 complaints were filed - some had multiple complaints**

COMPLAINT FINDINGS

April 1, 1997 to March 31, 1998



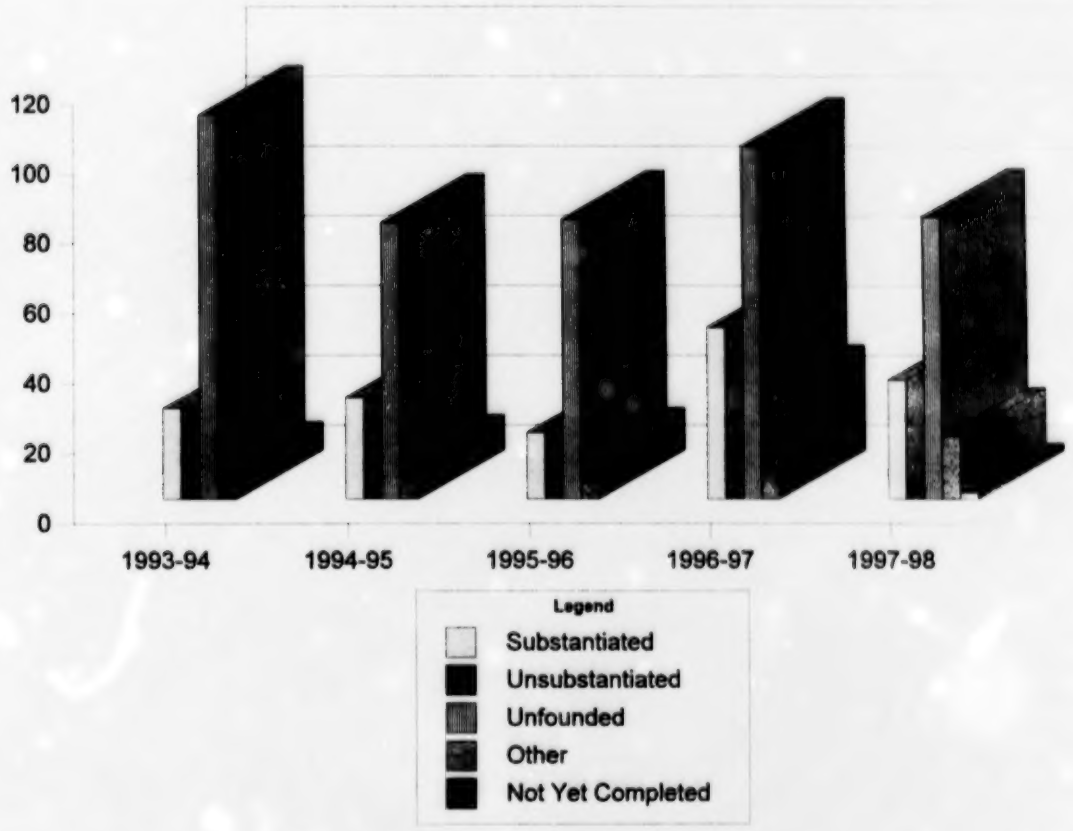
SASKATCHEWAN POLICE COMPLAINTS INVESTIGATOR

Types of Complaints Received

April 1, 1997 to March 31, 1998

	TOTAL	REGINA	SASKATOON	MOOSE JAW	PRINCE ALBERT	ESTEVAN	WEYBURN	CARONPORT	CHURCHBRIDGE	CUDWORTH	DALMENY	LUSELAND	MACKLIN	STOUGHTON	WATSON	YELLOW GRASS	R.M. CORMAN PARK	R.M. VANSCOY
COMPLAINTS RECEIVED	140	54	43	5	22	7	0	0	0	0	0	0	0	4	1	1	3	0
TYPE OF COMPLAINT																		
Discreditable Conduct	10	3	4	0	1	1	0	0	0	0	0	0	0	1	0	0	0	0
Neglect of Duty	31	13	12	1	2	1	0	0	0	0	0	0	0	0	0	1	1	0
Insubordination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Improper Disclosure of Information	4	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Corrupt Practice	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Abuse of Authority	79	33	19	4	15	3	0	0	0	0	0	0	0	3	1	0	1	0
Improper Use of Firearms	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Damage to Police Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Improper Wearing of Uniform/ Improper Personal Appearance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Misuse of Liquor/Drugs	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Criminal Conduct	2	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Others	12	3	4	0	3	1	0	0	0	0	0	0	0	0	0	0	1	0
Not Yet Completed	2	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

FIVE YEAR COMPARATIVE STATISTICS



CASE SUMMARIES

The following case summaries are a cross-section of the types of complaints received.

Mr. S., a taxi driver, attended at a police garage for a mandatory vehicle inspection. As a result of the inspection he needed to have his brakes repaired and a window replaced. He was to return to the garage after the said repairs were completed. He later returned to the garage for reinspection. He stated he was then told that a tire needed replacing. He complained that he should have been told of the defective tire at the first inspection. He also alleged that at the reinspection the officer got mad and started yelling in front of police mechanics, media people and three or four other taxi drivers. He found this to be embarrassing and degrading. Mr. S. also alleged the officer told him to get out of his garage.

Independent witnesses at the reinspection scene stated the complainant became abusive. When the complainant returned to the police garage for the reinspection he supplied an inspection ticket from a local repair shop which had a notation written on it that the brakes did not require repair. Enquiries of officials of the repair shop determined that the repair shop had not put the notation on the inspection ticket. Further, the repair shop had advised Mr. S. that if the repairs were not carried out within two weeks the vehicle would have a complete brake failure. The inspection official at the reinspection also told Mr. S. that he would have to replace a tire on the vehicle. Mr. S. claimed that the tire was on the vehicle during the previous inspection. Unknown to him all tires had been marked on the inside of the tire on the previous inspection and the tire which required to be replaced was not so marked indicating that the tire had not been on the vehicle at time of the initial inspection. Mr. S. became very upset and more abusive.

I concluded that there was no improper conduct by any police officer or official dealing with this complainant.

CASE SUMMARIES

Mr. Z. is 21 years of age. He was arrested for driving while exceeding .08 and for speeding. Mr. Z.'s father had a friend who was an officer for the police service. The officer told Mr. Z.'s father of the incident. As a result of disclosing this information, the father ridiculed Mr. Z. Mr. Z. was of the view that it was inappropriate for the officer to contact his father.

Investigation revealed that this office did not have jurisdiction to review the matter as the incident occurred more than six months before receiving the complaint. Although the time for bringing forth the complaint had passed, the Chief of Police had the matter investigated internally. The officer admitted to contacting the father of Mr. Z. The officer's intentions were for the father to give Mr. Z. some support. The officer realized later that his actions were inappropriate. He apologized to Mr. Z. for any embarrassment or ridicule that Mr. Z. may have received as a result of the comments to Mr. Z.'s father.

Ms. S. complained that the police were not taking her noise bylaw complaints seriously.

Investigation revealed that two young men had rented a residence next door to Ms. S. They had continual parties and did not give much consideration to their neighbours. The matter was referred to the Problem Solving Section of the police service who determined that police had attended 24 calls for service during a four month period. The complainant was one of three persons registering complaints. The two occupants had been charged seven times under the noise bylaw and all charges were presently before the courts. The landlords of the building were notified and the tenants were given their notice of eviction. A team was detailed to monitor the activities of the two tenants until the end of the month that they moved.

The investigation determined that the residents were rightfully frustrated by what appeared to be inaction by the police. My review also determined that the police had taken the appropriate action, seven charges had been laid.

CASE SUMMARIES

Mr. A. advised that his 13 year-old daughter Cheryl was assaulted by Claudia. She received many bruises and cuts. He complained that the police would not charge Claudia.

Investigation revealed that the two girls had a previous fight five months before the fight which brought forth the complaint. Apparently Cheryl won that encounter. In this instance each girl claimed that the other girl called her out to fight. An independent witness said that Cheryl was confronting Claudia. Police felt it was an altercation by consent and in retaliation for the previous incident, therefore no charges would be laid. The matter was referred to the Crown Prosecutor for decision. His decision was that in the circumstances there was no reasonable likelihood of conviction and therefore no charges to be laid.

I concluded that the complaint against the police was not well founded

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A police officer queried CPIC for information about the long lost brother of his wife's friend. He determined that the brother had a criminal record and was incarcerated in another province. This information was passed on to his wife's friend. These actions were a breach of policy and to his Oath of Secrecy.

This same officer was off duty and attending a night club with his wife and another female. During the evening another person verbally assaulted his wife. Two days later the officer filed a report on the incident. He also arrested the persons who had assaulted his wife.

As a result of the complaint the Chief of Police laid disciplinary charges against the officer with regard to both incidents. Remedial action was taken.

Mr. F. had been asked to leave the bar. He refused and the bouncer physically removed him. Police were called. Mr. F. was arrested outside the lounge. He resisted arrest. He alleged that the police forcibly threw him to the ground during the arrest. He was transported to the hospital for treatment of his injuries.

Employees of the lounge and independent witnesses were interviewed. The matter was referred to Saskatchewan Justice for review and decision as to whether police used excessive force during the arrest. Their review concluded there was no evidence that the force used was excessive and there was no basis to charge the police officer.

ALLOCATION OF BUDGET 1997-98

The following figures show the approved budget for the 1997-98 fiscal year.

	1997-98
Approved Budget	**$152,000**
Salaries, Honorariums, Per Diems	117,203
Operating Expenses	22,780
	$139,983